

BOARD OF SELECTMEN

Minutes of the Meeting of 27 December 2006 at 6:00 PM. The meeting took place in the Court Room, Town and County Building, Nantucket, MA 02554. Members of the Board present were Brian Chadwick, Michael Kopko, Catherine Flanagan Stover and Whiting Willauer. Douglas Bennett was absent. Chairman Willauer called the meeting to order at 6:07 PM following a meeting of the County Commission.

Announcements. Chairman Willauer asked to continue the matter of approving the proclamation of January 2-9, 2007 as Childhood Cancer Awareness Week, pending receipt of more information.

Chairman Willauer noted receipt of the preliminary draft estuaries report to be reviewed internally prior to Board approval to forward comments to the Department of Environmental Protection.

Chairman Willauer announced that the Board of Selectmen is soliciting public comments on Great Harbor Yacht Club MGL Chapter 91 Waterways License Application No. W06-1793 for discussion on January 3, 2007.

Chairman Willauer announced a Coast Guard auxiliary boating course in January.

Public Comment. Edie Ray of the Nantucket Marine Mammal Stranding Team advised that a deceased humpback whale is located in waters surrounding the island presently near Hoicks Hollow and reviewed the protocol of such a situation.

Approval of Minutes of 14 December 2006 at 1:00 PM, 7 December 2006 at 9:30 AM and 6 December 2006 at 6:00 PM. Mr. Chadwick asked for continuation of the approval of the minutes of 14 December 2006. Ms. Stover suggested amendments to the minutes of 6 December 2006 to which the Board consented. The Board unanimously consented to approve the minutes of 7 December 2006.

Approval of Payroll Warrant for Week Ending 24 December 2006. The Board approved the payroll warrant by unanimous consent.

Approval of Treasury Warrant and Pending Contracts for Week Ending 27 December 2006. The Board approved the treasury warrant and pending contracts by unanimous consent following public comment from Cormac Collier and Edie Ray about the landscapers work in conjunction with environmental concerns.

Citizen/Departmental Requests

1. Liquor Licensees: Requests of The Bamboo Supper Club and Water Street Restaurant for Approval to Extend Closing Time from 1:00 AM to 2:00 AM on January 1, 2007. Chairman Willauer commented on the specifics regarding service and closure. Discussion followed on the requests themselves and licensing issues in general. Mr. Kopko suggested that next year licensees be advised of submitting such requests thirty days ahead of time and moved to extend the two licenses to 1:30 AM for service of liquor and to close at 2:00 AM on January 1, 2007. Ms. Stover seconded. Mr. Chadwick spoke in opposition. So voted to approve the requests as per the motion with Mr. Kopko, Ms. Stover and Chairman Willauer voting in favor. Mr. Chadwick voted in opposition.

2. Nantucket Preservation Trust: Request for Approval and Execution of Preservation Restriction for Premises Located at 9 New Mill Street. Ms. Gibson provided an introduction. Mr. Kopko moved to approve and execute the preservation restriction as it is in the public interest. Ms. Stover seconded. So voted unanimously.

3. Great Harbor Yacht Club: Request for Acceptance of Stormwater Drainage Structure and Improvements to be Installed on Town Property on Washington Street Extension. Chairman Willauer introduced the matter. Mr. Kopko moved to accept the stormwater drainage structure and improvements to be installed on Town property on Washington Street extension. Ms. Stover seconded. GHYC Attorney Sarah Alger asked Chairman Willauer to recuse himself from the matter and he provided his reasons for not doing so. So voted unanimously.

Town Administrator's Report. Ms. Gibson reviewed a pending DEP matter involving a proposed pier to be constructed on Town-owned property at Hither Creek. Mr. Chadwick provided additional information on the private pier, which he stated would be "inappropriate." Mr. Kopko moved to instruct Town Counsel to file an objection to the application. Mr. Chadwick seconded. So voted unanimously.

Selectmen's Goals and Initiatives

1. Proposal to Establish Board of Selectmen Liaisons to Various Boards/Committees/Commissions. Chairman Willauer introduced the matter as coming from the recent committee training sessions and described the benefits and possible procedures. Discussion followed on the current structure that allows communication via the Town Administrator and the adding of another layer that may not be necessary. Ms. Gibson provided comments on the potential commitment, welcoming the Board's decision either way. Discussion continued on the intent of the set up and concerns about the proposal. Mr. Kopko suggested a memo to committees to determine which ones want Selectmen liaisons, thereby meeting the request in a less formal way. Mr. Kopko moved to have the memo sent to boards and committees and pending responses to make Selectmen liaisons available upon request. Mr. Chadwick seconded. So voted unanimously.

Selectmen's Reports/Comment

1. Action Regarding Sewer Advisory Committee Recommendations. Mr. Kopko reviewed a list of action items divided into an administrative category and proposed a requirement for written warrant articles, which he noted have been "vetted" by the Sewer Advisory Committee. He and DPW Director Jeff Willett spoke on needs areas. Mr. Chadwick suggested inclusion of the Conservation Commission in the group formed to review "prioritized needs areas" and noted various other concerns. Discussion followed on specifics and clarifications of the list. Mr. Kopko consented to amending language regarding an Annual Town Meeting article to amend the Town Code Section 41-3 regarding a requirement for written support of the DPW Director and the Health Inspector. Ms. Gibson commented on the independent sewer commission and shared concerns on decentralizing part of the government. Mr. Kopko agreed that discussions will follow, but that at present these items are all-inclusive only as a starting point. Mr. Kopko moved that the Board authorize preparation of a final draft of the "Criteria Checklist" for adoption by the Board; development of a current prioritized list of needs areas to be considered for addition into the sewer

district; and determination of a baseline number of sewer connections as of July 2004, number of potential new connections for the design life of the facility, and the average number of yearly connections as per the Comprehensive Wastewater Management Plan as administrative actions and that two warrant article proposals for a home rule petition and a Town Code amendment be forwarded to Town Counsel for development for the 2007 Annual Town Meeting warrant. Mr. Chadwick seconded. So voted unanimously.

2. Adoption of FY 2008 General Fund and FY 2008 Solid Waste and Sewer Enterprise Fund Budget Recommendations. Ms. Gibson welcomed any questions and noted the budget timeline specifies adoption of the FY 2008 budget by the Board of Selectmen at this meeting. She noted for capital construction costs or potential outcome of an arbitration decision in the FY 2008 Solid Waste Enterprise Fund Budget, but these may come later as needed. Mr. Kopko moved to adopt the Administration's recommendation on the budget and to move forward in the process. Mr. Chadwick seconded. So voted unanimously.

The meeting adjourned at 7:30 PM.

Approved the 3rd day of January 2007.